CLASSIFICATION OFFICE DECISION

Title of publication:	homerl~1
Other known title(s):	Not stated
OFLC ref:	1900104.007
Medium:	Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Commissioner of Police
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	30 May 2019
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	29 May 2019

Summary of reasons for decision:

The computer image file explicitly depicts characters from a well-known animated television series engaged in sexual activity. The image does not promote and support the exploitation of children or young persons under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993, but it does deal with sexual conduct involving a child, as well as incest, to a high extent and degree. It has the clear potential for attitudinal harm by perpetuating the idea that child sexual abuse is a subject of titillation and amusement. There is a strong likelihood of injury to the public good from the trivialisation of such behaviour and attitudes, which is likely to have a detrimental effect on wider society. The objectionable classification interferes with the right to freedom of expression as affirmed by the New Zealand Bill of Rights Act 1990, but is justifiable given the high risk of injury to the public good which cannot be adequately prevented by an age restriction.